

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BEST PARTNERS MORTGAGE
COOPERATIVE, INC. d/b/a LENDERS ONE,

Plaintiff,

-against-

PLAZA HOME MORTGAGE, INC.,

Defendant.
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Case No.: 1:24-cv-5184 (VSB)

**NOTICE OF PLAINTIFF'S
MOTIONS FOR JUDGMENT
ON THE PLEADINGS, TO
STRIKE AFFIRMATIVE
DEFENSES, AND TO STAY
DISCOVERY**

NATURE OF ACTION:

Breach of Contract

MOVING PARTY:

Plaintiff, Best Partners Mortgage Cooperative, Inc. d/b/a
Lenders One ("Lenders One")

RELIEF SOUGHT:

Lenders One seeks an Order:

(1) Granting Judgment on the Pleadings in Lenders One's
favor, pursuant to Federal Rule of Civil Procedure 12(c);

(2) Striking Defendant's Affirmative Defenses, pursuant to
Federal Rules of Civil Procedure 12(c), 12(f), and
12(h)(2)(B);

(3) Staying discovery pending a decision on its Rule 12
Motions for Judgment on the Pleadings and to Strike
Defendant's Affirmative Defenses, pursuant to Federal Rule
of Civil Procedure 26(c)(1). Alternatively, Lenders One
respectfully requests that discovery be limited to narrow,
written discovery on damages pending a decision on the two
Rule 12 Motions; and

(4) For such other and further relief as the Court may deem
just and proper.

SUPPORTING PAPERS:

Defendants' Memorandum of Law in Support.

RESPONDING PAPERS:

Pursuant to Local Rule 6.1(b), opposing affidavits and
answering memoranda of law shall be served within fourteen
(14) days after service of the moving papers, unless this
Court issues a briefing schedule.

REPLY PAPERS:

Lenders One intends to file and serve reply papers.

ORAL ARGUMENT REQUESTED

Dated: November 18, 2024
New York, New York

COZEN O'CONNOR

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TO: **ALL PARTIES VIA ECF**

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